

**PART 5319--SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS****PART 5319--SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS**

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**SUBPART 5319.2--POLICIES**

**5319.201 General policy.** (d) Major commands shall obtain the approval of the Director of Small and Disadvantaged Business Utilization (SAF/SB) before appointing an Associate Director of Small Business (see DoD Directive 4205.1 and AFI 64-201). Other commands shall consult with the Director (SAF/SB) before appointing a command Deputy for Small Business or any full-time Deputy for Small Business. Appointments shall be made on Certificates of Appointment, available from SAF/SB. Appointments are effective when the appointing official signs and dates the certificate. Forward the certificate to SAF/SB for signature by the Director, after it is executed by the appointing official.

(d)(v) When Air Force participation is required in conferences conducted to assist small businesses, small business specialists will serve as the Air Force representatives. SAF/SB will assign responsibility for providing Air Force representation to commands with bases in the area of the particular conference. In the case of Congressionally sponsored federal procurement conferences, responsibility is assigned as follows:

HQ AFMC/ESC--New England except Fairfield County, Connecticut.

HQ AFMC/RL--New York north of Orange and Putnam Counties; Pennsylvania except Delaware, Montgomery, Bucks, Philadelphia, and Chester Counties.

11th Wing--Delaware; District of Columbia; Maryland; New York City; New Jersey; Virginia; Fairfield County, Connecticut; Montgomery, Bucks, Philadelphia, Delaware and Chester Counties in Pennsylvania.

HQ AFMC/WR-ALC--Georgia, North Carolina, South Carolina, and Tennessee except Shelby County.

HQ Space Command/ESMC, Patrick AFB--Florida east of Taylor and Madison Counties.

HQ AFMC/AFDTC--Alabama; Florida west of Dixie, Lafayette, Suwanee, and Hamilton Counties; Mississippi south of Issaquena, Sharkey, Yazoo, Madison, Leake, Neshoba and Kemper Counties.

HQ AFMC/SA-ALC--Louisiana; Texas east of Winkler, Ward, Reeves, and Jeff Davis Counties.

HQ AFMC/OC-ALC--Arkansas; Kansas; Nebraska;

Oklahoma; Mississippi north of Warren, Hinds, Rankin, Scott, Newton and Lauderdale Counties; Missouri except St. Louis; Shelby County in Tennessee.

HQ AFMC/PL--Arizona; New Mexico; Texas west of Ector, Crane, Pecos and Brewster Counties.

HQ AFMC/OO-ALC--Colorado, Idaho, Montana, North Dakota, South Dakota, Wyoming and Utah.

HQ AFMC/SA-ALC--Oregon; Washington; California north of San Luis Obispo, Kern, and San Bernadino Counties; Nevada except Clark County.

HQ AFMC/SMC--California south of Monterey, Kings, Tulare, and Inyo Counties; Clark County in Nevada.

HQ AFMC--Illinois; Indiana; Iowa; Kentucky; Michigan; Minnesota; Ohio; West Virginia; Wisconsin, St. Louis County, Missouri.

HQ PACAF--Hawaii and Alaska.

In areas where AFMC has responsibility, the small business specialist or contracting personnel from other major commands represented in the local area shall attend. When the Air Force serves as DOD coordinator for the conference, the Air Force Office of Small and Disadvantaged Business Utilization (SAF/SB) will be represented and will appoint a field coordinator from the directorate of small business in HQ AFMC. The AFMC representative will conduct a seminar on "How to Prepare a Bid" and prepare the DOD Conference Report.

**SUBPART 5319.5--SET-ASIDES FOR  
SMALL BUSINESS**

**5319.501 General.** (c) The contracting officer shall document the review on DD Form 2579 (see DFARS 219.201(c)(9)(B)). The small business specialist shall review all acquisitions in excess of \$25,000 for activities assigned a full-time small business specialist.

**5319.501-90 Simplified Acquisition of Base Engineering Requirements (SABER).** Except when use of small business set-asides is suspended, the contracting officer shall consider every proposed acquisition for SABER, regardless of dollar value, as though the small business specialist had initiated a set-aside request and procedures at 5319.505 apply. When small business set-asides are suspended pur-

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suant to the Small Business Competitiveness Demonstration Program, the contracting officer shall follow the procedures under FAR Subpart 19.10 and DFARS Subpart 219.10.

**5319.502-2-70 Total set-asides for small disadvantaged business concerns.**

(c) Requests for determinations will be prepared by the activity small business specialist and forwarded through the command Director of Small Business to SAF/SB. As part of the supporting information, provide—

- (1) A detailed narrative that describes the negative impacts that have occurred on non-disadvantaged small businesses in each SIC code; and
- (2) An estimate of the likelihood of future negative impacts.

**5319.505 Rejecting set-aside recommendations.** When notified by SBA that it has filed an appeal with the Secretary, the contracting officer shall prepare an appeal file. The file shall contain a statement by the contracting officer which sets forth the decision rationale and addresses the appeal issues on a point-by-point basis. The statement shall include the rationale for disregarding known small business sources, small businesses identified through synopsis, and sources recommended by the small business specialist and SBA. In addition to the contracting officer's statement, the file shall include the comments and/or concurrence of the small business specialist, the completed DD Form 2579, SBA Form 70, any related correspondence, the procurement history, and a copy of the solicitation's coverage of evaluation and award factors. Forward the appeal file through command channels to arrive in SAF/SB within ten working days after receipt of the formal appeal.

**SUBPART 5319.8--CONTRACTING WITH THE  
SMALL BUSINESS ADMINISTRATION  
(THE 8(a) PROGRAM)**

**5319.803 Selecting acquisitions for the 8(a) program.** The small business specialist assigned to the individual contracting activity is the Air Force representative for purposes of this section.

**5319.804 Agency evaluation of the Small Business Administration's request for a commitment.** The small business specialist assigned to the individual contracting activity is the Air Force representative for purposes of this section.

**5319.808 Contract negotiation.****5319.808-1 Sole source.**

Contracting officers shall send copies of any determinations to waive Miller Act requirements under DFARS 219.808-1 to the local Small and Disadvantaged Business Representative for forwarding through SADBU channels to SAF/SB.

**5319.810 SBA appeals.** (b) Upon receipt of SBA notification of an intent to appeal pursuant to Section 8(a), the contracting activity shall forward both a copy of the notification and the contracting officer's decision through command channels to SAF/SB. SAF/SB shall notify the major command involved when a formal appeal has been filed with the Secretary and shall ask for an appeal file. The file shall contain a statement by the contracting officer which includes the chronology of events and addresses the appeal issues on a point-by-point basis. Documentation fully supporting the statement shall be included as attachments or exhibits. The appeal file shall include comments of the small business specialist or concurrence as appropriate. Forward the appeal file through command channels to arrive in SAF/SB within ten working days after the contracting activity's receipt of the formal appeal.